

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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FRIAS HOLDING COMPANY, *et al.*,

Plaintiffs,

VS.

GREENBERG TRAURIG, LLP, *et al.*,

Defendants.

Case No. 2:11-cv-160-GMN-VCF

ORDER

MOTION TO STRIKE AFFIRMATIVE DEFENSES (#86)

This matter involves Frias Holding Company’s legal-malpractice action against Greenberg Traurig. On April 24, 2015, Greenberg Traurig answered Frias Holding Company’s complaint. *See* (Ans. #78). Frias Holding Company subsequently moved to strike Greenberg Traurig’s first, fifth, and seventh affirmative defenses. (Mot. #86). On May 15, 2015, Greenberg Traurig filed an amended answer. (Am. Ans. #94). To date, no party has opposed Frias Holding Company’s Motion to Strike.

Federal Rule of Civil Procedure 15 governs amended pleadings. It states, “[a] party may amend its pleading once as a matter of course within [. . .] 21 days after serving it.” FED. R. CIV. P. 15(a)(1)(A). Here, Greenberg Traurig filed an amended answer exactly 21 days after serving its initial pleading. This was proper under Rule 15 and renders Frias Holding Company’s Motion to Strike (#86) moot.

ACCORDINGLY, and for good cause shown,

IT IS ORDERED that Frias Holding Company's Motion to Strike (#86) is DENIED as moot.

IT IS SO ORDERED.

DATED this 11th day of June, 2015.

Carl Gaddis

CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE